

COMBINED REISSUE APPLICATION DECLARATION BY THE INVENTOR
AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,919,507, granted July 6, 1999 and for which a reissue patent is sought on the invention entitled:

PRESERVATION COMPOSITIONS AND METHODS FOR MUSHROOMS

the specification of which

(Check one) [X] is attached hereto.

[] was filed on _____ as reissue application number _____ /
and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

[] by reason of a defective specification or drawing.

[X] by reason of the patentee claiming more or less than he had the right to claim in the patent.

[] by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

Applicants' attorney failed to appreciate the full scope of applicants' invention. The invention set forth in claim 1, the sole independent claim in the patent, unduly limits the pH-neutralizing solution used in the second stage washing step(s) to a preferred embodiment of buffer solutions of erythorbic acid and sodium erythorbate. The invention described and enabled in the specification is not limited to the use of erythorbic acid/sodium erythorbate buffer solutions to return the final mushroom pH to the physiological range of approximately 6.5. As described in the specification, acidulants and even water alone were used to neutralize the effects of exposure to high pH antimicrobial solutions in the first stage.

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

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(Recognized under 37 CFR § 10.9(b))

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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